

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Implementation of the Telecommunications)	CC Docket No. 96-115
Act of 1996:)	
)	
Telecommunications Carriers' Use of)	
Customer Proprietary Network Information)	
and other Customer Information;)	
)	
Petition for Rulemaking to Enhance)	RM-11277
Security and Authentication Standards for)	
Access to Customer Proprietary)	
Network Information)	

**Reply Comments of
Rock Hill Telephone Company d/b/a Comporium Communications, Lancaster
Telephone Company d/b/a Comporium Communications, and Fort Mill Telephone
Company d/b/a Comporium Communications (Comporium)**

Rock Hill Telephone Company d/b/a Comporium Communications, Fort Mill
Telephone Company d/b/a Comporium Communications, and Lancaster Telephone
Company d/b/a Comporium Communications (collectively "Comporium") hereby submit
these reply comments to the Federal Communications Commission ("FCC" or
"Commission") in response to the Notice of Proposed Rulemaking in the above-
captioned proceeding.¹

The Comporium companies are rural local exchange carriers ("RLECs") that
provide wireline telephone service to over 100,000 access lines in portions of York,
Lancaster, Chester, and Kershaw counties in the South Carolina Piedmont region. The
Comporium companies are rural telephone companies as defined in 47 U.S.C. Sec.

¹ *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information* CC Docket No. 96-116; *Petition for Rulemaking to Enhance Security and Authentication Standards for Access to Customer Proprietary Network Information*, RM-11277, Notice of Proposed Rulemaking, FCC 06-10 (released Feb. 14, 2006).

153(37). In addition to local telephone service, the Comporium companies and their affiliates provide a wide array of communications services, including dial-up and high-speed internet, long distance, wireless, and video programming services to rural consumers.

Comporium takes very seriously the privacy and security of its customers' proprietary network information (CPNI). Comporium complies with all applicable CPNI regulations, and generally does not use CPNI in the marketing of services to its customers. In these reply comments, Comporium will offer its concurrence with many who believe the current CPNI rules are sufficient, and also address proposals for new regulations made by the Electronic Privacy Information Center (EPIC) petition.

I. Current CPNI Rules are Adequate

Comporium concurs with many commenters that the current CPNI regulations provide a sound framework for the management and protection of this most sensitive information. The current CPNI regulations have been evolving since 1998 and do an excellent job of balancing the consumer's needs for security with the industry's needs for customer relationship management. The rules are very explicit with regard to defining CPNI, determining customer approval to use CPNI, restricting access to CPNI, documenting its use, when appropriate, and requiring punishment for those individuals or companies who may disregard the regulations. As the National Telecommunications Cooperative Association (NTCA) succinctly stated in its initial comments, "NTCA respectfully submits that additional CPNI rules are unnecessary."² Further, in the

² National Telecommunications Cooperative Association (NTCA) comments filed April 28, 2006, p. 1.

conclusion of its initial comments, the United States Telecom Association (USTelecom) plainly states, “The Commission should not impose new CPNI regulation and rules on telecommunications carriers.”³ The Rural Cellular Association (RCA) urges the Commission to refrain from adopting ancillary requirements, and to allow industry and consumers to continue to achieve CPNI safeguards appropriate for the interests of both.⁴ Comporium urges the Commission to acknowledge the record of comments and to eschew any new CPNI regulations.

II. Focus on Illegal Activity

Comporium believes the Commission’s efforts could best be directed in assisting the appropriate agencies in punishing those who are abusing the current CPNI rules and violating the law. The most common and widely publicized method of illegally accessing CPNI is known as “social engineering” or “pretexting.” In this scheme, a caller will falsely represent that they are a customer, customer agent or company employee and seek access to the victimized customer’s CPNI. If the pretexter is successful in obtaining the CPNI, he or she will then market the misappropriated data to the public for a fee, or sell it to a data broker who will do the same. Comporium agrees with the Oklahoma Carriers in asserting that this type of activity violates section 5 of the Federal Trade Commission (FTC) Act, which prohibits, “unfair or deceptive acts or practices in or affecting commerce.”⁵

³ United States Telecom Association (USTelecom) comments filed April 28, 2006, p.7.

⁴ Rural Cellular Association (RCA) comments filed April 28, 2006, p. 6.

⁵ Cross Telephone Company, Cimarron Telephone Company, Pottawatomie Telephone Company, Chickasaw Telephone Company and Salina-Spavinaw Telephone Company (the “Oklahoma Carriers”) comments filed April 28, 2006, p. 3.

Data brokers are currently under fire from the FTC, which is actively investigating their activities. Also, State Attorneys General are seeking restraining orders and filing lawsuits against data brokers in their respective state courts. Members of Congress have introduced multiple bills since the first of the year, which address the activities of data brokers and which would make this objectionable enterprise illegal, to the extent it is not already so. The Commission should assist this three-pronged effort where appropriate, and help eliminate the brokering of CPNI. A swift and strong response together with commensurate penalties is needed to provide a disincentive for these unscrupulous players to continue their activities.

III. Any New Rules Should Allow for Rural Flexibility and Avoid Costly or Burdensome Security Measures

Although Comporium believes the current CPNI regulations provide adequate consumer safeguards when implemented and followed accordingly, we recognize the Commission may determine additional measures are necessary. If this is the case, Comporium, like others, urges the Commission to ensure any new regulations provide necessary flexibility for rural carriers. As the Independent Carrier Group pointed out, "... the public interest is served by accommodating the costs and administrative burdens upon rural LECs, and recognizing that the implementation of certain measures are, accordingly, too costly for small carriers, as compared to larger carriers."⁶ As the Organization for the Promotion and Advancement of Small Telecommunications

⁶ Independent Carrier Group comments filed April 28, 2006, p. 6.

Companies (OPASTCO) stated, any additional regulations must not impose unreasonable costs and burdens on rural carriers and should provide real benefits for rural consumers.⁷

In its petition, EPIC proposed several new security schemes including; consumer-set passwords, audit trails, encryption, customer notice of security breaches and data retention limitations.⁸ Comporium is in agreement with many commenters who believe that most or all of these additional proposals would be costly and burdensome to implement, and also feel the ratio of customer benefit to cost will be extraordinarily low.⁹ This would be especially true for small and rural carriers. In many cases, these companies have developed sophisticated customer account management software programs in order to provide a superior level of customer service, but have a much smaller customer bases from which to recover comprehensive system upgrades.

CONCLUSION

Comporium is committed to the protection and security of its customers' CPNI. Comporium believes the current regulations provide an appropriate level of safeguarding when followed accordingly. The real problems for both the Commission and CPNI-compliant companies, are the data broking and pretexting industries. These activities must be stopped and the violators prosecuted. If the Commission feels new regulations are the appropriate response, the EPIC-proposed measures are likely to be costly and

⁷ OPASTCO comments filed April 28, 2006, p. 2.

⁸ EPIC Petition pp. 11-12.

⁹ Texas Statewide Telephone Cooperative, Inc. comments p. 4, OPASTCO comments p. 9, Telecom Consulting Associates, Inc. (TCA) comments p. 2, Rural Cellular Association (RCA) comments p. 6, USTelecom comments pp. 4-5, National Telecommunications Cooperative Association comments pp. 3-4, The Oklahoma Carriers comments pp. 9-10, Alltel Corporation comments pp. 5-6, Verizon comments p. 27, AT&T comments p. 19, National Cable and Telecommunications Association (NCTA) comments p. 6, COMPTel comments p. 2.

burdensome when compared to the consumer benefits provided, and should not be a part of those regulations. For the foregoing reasons, the EPIC petition should be denied.

Respectfully Submitted,

Comporium

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